IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLN.NO.668 OF 2007

Shri.Pandurang Kalu Aher ..Applicant
Vs.
State of Maharashtra ..Respondents

...

Mr.S.M.Sabrad counsel for applicant
Mr.K.V.Saste A.P.P. for the State

...

CORAM: SMT.V.K.TAHILRAMANI,J.
DATE : MARCH 20, 2007

P.C.

1. Heard the learned counsel for the applicant and the learned A.P.P. for the State.

2. The applicant is seeking anticipatory bail in C.R.No.133 of 2006 of Kalwa Police Station. The said case is under Sections 465, 468, 471 and 506 of IPC and Sections 32, 33 and 34 of Money Lenders Act.

3. It is the case of the complainant that the applicant has advanced Rs.2 lakhs to the complainant and his brother by charging 5% interest per month and inspite of repayment of Rs.5,40,000/-, the applicant had obtained blank cheques and bond papers from him and other witnesses and has threatened the complainant that

he will use those cheques and bond papers against him for filing false cases. The applicant is carrying on business of money lending without any valid licence.

4. During the investigation which has been carried out so far, it has transpired that the applicant had advanced loans to various persons. He has obtained blank cheques and signatures on blank stamp papers from the complainant and other witnesses. Thereafter, the applicant has used these blank papers on which signatures were obtained by him from the complainant and other witnesses as loan receipts. The applicant has committed similar type of offences and besides the present case, C.R.No. 8 of 2007 and C.R.No. 15 of 2007 have been registered against him at Kalwa Police Station.

5. The learned counsel for the applicant has submitted that the age of the applicant is 67 years and hence, the applicant may be released on anticipatory bail. In my view, the age of the applicant cannot be the sole criterion for the applicant to be released on anticipatory bail. In

my view, the custody of the applicant would be necessary in order to investigate this crime properly to find out nature and extent of involvement of the applicant in other cases.

6. Application for anticipatory bail is rejected.

7. At this stage, the learned counsel for the applicant states that the applicant may be granted a weeks time to surrender before the Investigating Officer. The appliant is granted time upto 26.3.2007 to surrender.

[V.K.Tahilramani, J.]